IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

Bail Appl..No. 1723 of 2007()

CMP.474/2007 of J.M.F.C.,NILAMBUR
CRIME NO.75/2007 OF NILAMBUR POLICE STATION

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PETITIONERS

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1. SIRAJ @ SIJU, AGED 20 YEARS,
S.O UMMER, CHOONIKKAL HOUSE,
KARIMPUZHA P.O., CHANDAKKUNNU,
NILAMBUR TALUK, MALAPPURAM.

2. SHAFEEK, AGED 21 YEARS, S/O
LATE AMEERJAN, RESIDING AT CHERIYADAN HOUSE,
VELIYAMPADAM, P.O., CHANDAKKUN,
NILAMBUR, MALAPPURAM

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
NILAMBUR POLICE STATION, MALAPPURAM

2. THE STATE OF KERALA, REP. BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1723/2007

Dated this 27th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 1 and 2 in Crime No.75/2007 of Nilambur Police Station for offences punishable under Sections 341 and 304 IPC read with Section 34 IPC, seek their enlargement on bail. The occurrence took place on 27.1.2007 at about 6.30 p.m., when the accused persons, consequent of being refused admission into the Teak Museum at Nilambur, are alleged to have beaten the security guard. The cause of death was the head injury, which was allegedly inflicted by beating with a torch on the head.

2. The learned Public Prosecutor opposed the application.

3. Having regard to the facts and circumstances of the case, including the duration of the judicial custody already undergone by the petitioners, I am inclined to grant bail to them, but only from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 7.4.2007, on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like

amount to the satisfaction of the J.F.C.M, Nilambur and subject to the following conditions:

(a). The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

(d). The petitioners shall not commit any offence while on bail.

4. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs